



December 3, 2003

Providence man pleads guilty to gun charge

Santos Diaz, 39, of Providence, has pleaded guilty to being a felon in possession of a firearm, admitting that he owned a gun that was found in the trunk of a car in August. Providence Police approached the car on Julian Street on August 17 while investigating a prior report that led them to suspect that Diaz had a gun.

The Office of the United States Attorney announced the plea, which Diaz entered yesterday before U.S. District Court Judge William E. Smith in U.S. District Court, Providence. Diaz, of 140 Julian Street, is detained at the Rhode Island Adult Correctional Institutions pending sentencing, which is scheduled for February 20.

At the plea hearing, Assistant U.S. Attorney Peter F. Neronha said that, had the case gone to trial, the government would have proven that, on August 17, Providence Police officers, following up on a prior investigation, approached a car that was parked on Julian Street. There were two occupants: Diaz was a passenger and a woman was in the driver's seat. With the consent of the driver, who owned the car, officers searched the car's trunk and found a .380 semi-automatic pistol and a box of ammunition in a suitcase.

Further investigation developed evidence that Diaz had purchased the gun a few days earlier from a man in a bar on Westminster street. However, the seller had given Diaz the wrong size ammunition. Diaz and the woman were on their way to meet the seller to obtain the correct ammunition when the officers approached the car on August 17.

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Diaz was convicted in New York in 1983 of second-degree arson. After several parole violations, he was ultimately released from prison in 2001. As a felon, he is prohibited under federal law from possessing firearms or ammunition. The statutory maximum penalty for being a felon in possession of a firearm is ten years in federal prison and a \$250,000 fine. Diaz's sentence will be determined on the basis of federal sentencing guidelines, which take into account such factors as the specific nature and impact of an offense and a defendant's criminal background.

Providence Police and the **Bureau of Alcohol, Tobacco, Firearms and Explosives** investigated the case. Assistant U.S. Attorney Neronha is prosecuting it as part of **Project Safe Neighborhoods**, a Department of Justice initiative against gun crimes and gun violence.

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